

(b) FUNDING ACCOUNT.—In planning and budgeting, the Administrator shall establish a funding account that shall be used for all test facilities. The account shall be sufficient to maintain the viability of test facilities during periods of low utilization.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3407.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 50505, 42 U.S.C. 16634, Pub. L. 109-155, title II, §205, Dec. 30, 2005, 119 Stat. 2916.

This section restates provisions originally enacted as part of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155, 119 Stat. 2895), and not as part of title V of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (Public Law 102-588, 106 Stat. 5107), which is generally restated in this chapter.

In subsection (a), the words "Committee on Science and Technology" are substituted for "Committee on Science" on authority of Rule X(1)(o) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (110th Congress, January 5, 2007).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

§ 50506. Commercial Space Achievement Award

(a) ESTABLISHMENT.—There is established a Commercial Space Achievement Award. The award shall consist of a medal, which shall be of such design and materials and bear such inscriptions as determined by the Secretary of Commerce. A cash prize may also be awarded if funding for the prize is available under subsection (d).

(b) CRITERIA FOR AWARD.—The Secretary of Commerce shall periodically make awards under this section to individuals, corporations, corporate divisions, or corporate subsidiaries substantially engaged in commercial space activities that in the opinion of the Secretary of Commerce best meet the following criteria:

(1) NON-GOVERNMENTAL REVENUE.—For corporate entities, at least half of the revenues from the space-related activities of the corporation, division, or subsidiary is derived from sources other than the United States Government.

(2) SUBSTANTIAL CONTRIBUTION.—The activities and achievements of the individual, corporation, division, or subsidiary have substantially contributed to the United States gross national product and the stature of United States industry in international markets, with due consideration for both the economic magnitude and the technical quality of the activities and achievements.

(3) SUBSTANTIAL ADVANCEMENT OF TECHNOLOGY.—The individual, corporation, division, or subsidiary has substantially advanced space technology and space applications directly related to commercial space activities.

(c) LIMITATIONS.—No individual or corporate entity may receive an award under this section more than once every 5 years.

(d) FUNDING FOR AWARD.—The Secretary of Commerce may seek and accept gifts of money from public and private sources for the purpose of making cash prize awards under this section. Such money may be used only for that purpose, and only such money may be used for that purpose. The Secretary of Commerce shall make publicly available an itemized list of the sources of such funding.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3407.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 50506, 15 U.S.C. 5808, Pub. L. 102-588, title V, §510, Nov. 4, 1992, 106 Stat. 5129.

In subsection (b), in the matter before paragraph (1), the words "The Secretary of Commerce shall periodically make awards" are substituted for "The Secretary of Commerce shall periodically make, and the Chairman of the National Space Council shall present, awards" to eliminate obsolete language. The reference to the Chairman of the National Space Council is obsolete because the National Space Council (established by section 501 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989 (Public Law 100-685, 102 Stat. 4102)) has not functioned or been staffed since 1993.

CHAPTER 507—OFFICE OF SPACE COMMERCE

- Sec. 50701. Definition of Office.
50702. Establishment.
50703. Annual report.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-90, title III, §301(a)(1), Nov. 25, 2015, 129 Stat. 720, substituted "COMMERCE" for "COMMERCIALIZATION" in chapter heading.

§ 50701. Definition of Office

In this chapter, the term "Office" means the Office of Space Commerce established in section 50702 of this title.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3408; Pub. L. 114-90, title III, §301(b), Nov. 25, 2015, 129 Stat. 720.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 50701, (no source)

A chapter-wide definition for the term "Office" is added for clarity and convenience.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-90 substituted "Commerce" for "Commercialization".

§ 50702. Establishment

(a) IN GENERAL.—There is established within the Department of Commerce an Office of Space Commerce.

(b) **DIRECTOR.**—The Office shall be headed by a Director, who shall be a senior executive and shall be compensated at a level in the Senior Executive Service under section 5382 of title 5 as determined by the Secretary of Commerce.

(c) **FUNCTIONS OF OFFICE.**—The Office shall be the principal unit for the coordination of space-related issues, programs, and initiatives within the Department of Commerce, including—

(1) to foster the conditions for the economic growth and technological advancement of the United States space commerce industry;

(2) to coordinate space commerce policy issues and actions within the Department of Commerce;

(3) to represent the Department of Commerce in the development of United States policies and in negotiations with foreign countries to promote United States space commerce;

(4) to promote the advancement of United States geospatial technologies related to space commerce, in cooperation with relevant inter-agency working groups; and

(5) to provide support to Federal Government organizations working on Space-Based Positioning Navigation, and Timing policy, including the National Coordination Office for Space-Based Position,¹ Navigation, and Timing.

(d) **DUTIES OF DIRECTOR.**—The primary responsibilities of the Director in carrying out the functions of the Office shall include—

(1) promoting commercial provider investment in space activities by collecting, analyzing, and disseminating information on space markets, and conducting workshops and seminars to increase awareness of commercial space opportunities;

(2) assisting United States commercial providers in the efforts of those providers to conduct business with the United States Government;

(3) acting as an industry advocate within the executive branch of the Federal Government to ensure that the Federal Government meets the space-related requirements of the Federal Government, to the fullest extent feasible, using commercially available space goods and services;

(4) ensuring that the United States Government does not compete with United States commercial providers in the provision of space hardware and services otherwise available from United States commercial providers;

(5) promoting the export of space-related goods and services;

(6) representing the Department of Commerce in the development of United States policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce; and

(7) seeking the removal of legal, policy, and institutional impediments to space commerce.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3408; Pub. L. 114-90, title III, §§ 301(c), 302, Nov. 25, 2015, 129 Stat. 720.)

¹ So in original. Probably should be “Positioning.”.

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50702	15 U.S.C. 1511e.	Pub. L. 105-309, § 8, Oct. 30, 1998, 112 Stat. 2937; Pub. L. 107-305, § 14, Nov. 27, 2002, 116 Stat. 2380; Pub. L. 108-447, div. B, title II, Dec. 8, 2004, 118 Stat. 2878.

Editorial Notes

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-90, § 301(c), substituted “Space Commerce” for “Space Commercialization”.

Subsec. (c). Pub. L. 114-90, § 302, substituted “Commerce, including—” for “Commerce.” and added pars. (1) to (5).

Statutory Notes and Related Subsidiaries

COOPERATION WITH FORMER SOVIET REPUBLICS

Pub. L. 102-588, title II, § 218, Nov. 4, 1992, 106 Stat. 5117, provided that:

“(a) **REPORT TO CONGRESS.**—Within one year after the date of enactment of this Act [Nov. 4, 1992], the President shall submit to Congress a report describing—

“(1) the opportunities for increased space related trade with the independent states of the former Soviet Union;

“(2) a technology procurement plan for identifying and evaluating all unique space hardware, space technology, and space services available to the United States from the independent states of the former Soviet Union, specifically including those technologies the National Aeronautics and Space Administration has identified as high priority in its Space Research and Technology Integrated Technology Plan.[:]

“(3) the trade missions carried out pursuant to subsection (c), including the private participation and the results of such missions;

“(4) the offices and accounts of the National Aeronautics and Space Administration to which expenses for either cooperative activities or procurement actions, involving the independent states of the former Soviet Union, are charged;

“(5) any barriers, regulatory or practical, that inhibit space-related trade between the United States and the independent states of the former Soviet Union, including such barriers in either the United States or the independent states; and

“(6) any anticompetitive issues raised by a potential acquisition.

“(b) **NOTIFICATION TO CONGRESS.**—If any United States Government agency denies a request for a license or other approval that may be necessary to conduct discussions on space-related matters with the independent states of the former Soviet Union, that agency shall immediately notify the Speaker of the House of Representatives and President of the Senate. Each such notification shall include a statement of the reasons for the denial.

“(c) **ROLE OF THE OFFICE OF SPACE COMMERCE.**—The Office of Space Commerce of the Department of Commerce is authorized and encouraged to conduct trade missions to appropriate independent states of the former Soviet Union for the purpose of familiarizing United States aerospace industry representatives with space hardware, space technologies, and space services that may be available from the independent states, and with the business practices and overall business climate in the independent states. The Office of Space Commerce shall also advise the Administrator [of the National Aeronautics and Space Administration] as to the impact on United States industry of each potential acquisition of space hardware, space technology, or space services from the independent states of the former Soviet Union, specifically including any anticompetitive issues the Office may observe.”

§ 50703. Annual report

The Secretary of Commerce shall submit an annual report on the activities of the Office, including planned programs and expenditures, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3408.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50703	15 U.S.C. 1535.	Pub. L. 101-611, title I, §115(b), Nov. 16, 1990, 104 Stat. 3201.

The words “The Secretary of Commerce shall submit an annual report” are substituted for “Commencing in fiscal year 1992, and every fiscal year thereafter, the Secretary of Commerce shall submit . . . a report” to eliminate unnecessary words.

The word “Office”, meaning the Office of Space Commercialization, is substituted for “Office of Space Commerce” to correct an error in the law.

The words “Committee on Science and Technology” are substituted for “Committee on Science, Space, and Technology” on authority of section 1(a)(10) of Public Law 104-14 (2 U.S.C. note prec. 21), Rule X(1)(n) of the Rules of the House of Representatives, adopted by House Resolution No. 5 (106th Congress, January 6, 1999), and Rule X(1)(o) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (110th Congress, January 5, 2007).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

CHAPTER 509—COMMERCIAL SPACE LAUNCH ACTIVITIES

Sec.	
50901.	Findings and purposes.
50902.	Definitions.
50903.	General authority.
50904.	Restrictions on launches, operations, and reentries.
50905.	License applications and requirements.
50906.	Experimental permits.
50907.	Monitoring activities.
50908.	Effective periods, and modifications, suspensions, and revocations, of licenses.
50909.	Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries.
50910.	Preemption of scheduled launches or reentries.
50911.	Space advertising.
50912.	Administrative hearings and judicial review.
50913.	Acquiring United States Government property and services.
50914.	Liability insurance and financial responsibility requirements.
50915.	Paying claims exceeding liability insurance and financial responsibility requirements.
50916.	Disclosing information.
50917.	Enforcement and penalty.
50918.	Consultation.
50919.	Relationship to other executive agencies, laws, and international obligations.
50920.	User fees.

Sec.	
50921.	Office of Commercial Space Transportation.
50922.	Regulations.
50923.	Report to Congress.

Editorial Notes

AMENDMENTS

2010—Pub. L. 111-314, §4(d)(2), (3), Dec. 18, 2010, 124 Stat. 3440, transferred analysis for chapter 701 of Title 49, Transportation, and renumbered as analysis for chapter 509 of this title and renumbered items 70101 to 70105, 70105a, 70106 to 70109, 70109a, and 70110 to 70121 as 50901 to 50923, respectively.

2004—Pub. L. 108-492, §2(c)(26), Dec. 23, 2004, 118 Stat. 3982, added item 70105a.

2000—Pub. L. 106-405, §3(b), Nov. 1, 2000, 114 Stat. 1752, substituted “Office of Commercial Space Transportation” for “Authorization of appropriations” in item 70119.

Pub. L. 106-391, title III, §322(d), Oct. 30, 2000, 114 Stat. 1598, added item 70109a.

1998—Pub. L. 105-303, title I, §102(a)(1), Oct. 28, 1998, 112 Stat. 2846, substituted “launches, operations, and reentries” for “launches and operations” in item 70104, “launches, operation of launch sites and reentry sites, and reentries” for “launches and operation of launch sites” in item 70108, inserted “or reentries” after “scheduled launches” in item 70109, and added items 70120 and 70121.

1994—Pub. L. 103-429, §6(78), Oct. 31, 1994, 108 Stat. 4388, made technical amendment to chapter heading.

§ 50901. Findings and purposes

(a) FINDINGS.—Congress finds that—

(1) the peaceful uses of outer space continue to be of great value and to offer benefits to all mankind;

(2) private applications of space technology have achieved a significant level of commercial and economic activity and offer the potential for growth in the future, particularly in the United States;

(3) new and innovative equipment and services are being sought, produced, and offered by entrepreneurs in telecommunications, information services, microgravity research, human space flight, and remote sensing technologies;

(4) the private sector in the United States has the capability of developing and providing private launching, reentry, and associated services that would complement the launching, reentry, and associated capabilities of the United States Government;

(5) the development of commercial launch vehicles, reentry vehicles, and associated services would enable the United States to retain its competitive position internationally, contributing to the national interest and economic well-being of the United States;

(6) providing launch services and reentry services by the private sector is consistent with the national security and foreign policy interests of the United States and would be facilitated by stable, minimal, and appropriate regulatory guidelines that are fairly and expeditiously applied;

(7) the United States should encourage private sector launches, reentries, and associated services and, only to the extent necessary, regulate those launches, reentries, and services to ensure compliance with international obligations of the United States and to protect